

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

MARK STEVEN COX

PLAINTIFF

V.

3:07CV00200 SWW/JTR

LARRY MILLS,
Sheriff of Poinsett County, et al.

DEFENDANTS

ORDER

Plaintiff, Mark Steven Cox, commenced this § 1983 action while he was serving a criminal sentence at the Poinsett County Detention Center. *See* docket entry #2. On January 4, 2008, the Court granted Plaintiff permission to proceed *in forma pauperis*, assessed an initial partial filing fee, and directed officials at the Poinsett County Detention Center to collect the balance of the filing fee in installments from Plaintiff's prisoner trust account. *See* docket entry #3. As of the date of this Order, no funds have been paid on Plaintiff's behalf toward the satisfaction of the \$350 filing fee.

On February 12, 2008, Plaintiff filed a Statement indicating that he had been released from custody and that he was currently residing at a private address in Jonesboro, Arkansas. *See* docket entry #11. Plaintiff also indicates that he wishes to continue with this action. *Id.* In light of his recent release, it is unclear whether Plaintiff is still entitled to proceed *in forma pauperis*. Accordingly, the Court will give Plaintiff thirty days to file an Amended Application to Proceed *In Forma Pauperis*.

IT IS THEREFORE ORDERED THAT:

1. The Clerk of the Court is directed to send Petitioner a (freeworld) Amended Application to Proceed *In Forma Pauperis*.

2. Plaintiff shall file, **within thirty days of the entry of this Order**, an Amended Application to Proceed *In Forma Pauperis*.

3. Plaintiff is reminded that the failure to timely and properly comply with this Order could result in the dismissal of this case, without prejudice, pursuant to Local Rule 5.5(c)(2).¹

Dated this 12th day of February, 2008.


UNITED STATES MAGISTRATE JUDGE

¹ Local Rule 5.5(c)(2) provides that: “It is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. A party appearing for himself/herself shall sign his/her pleadings and state his/her address, zip code, and telephone number. If any communication from the Court to a *pro se* plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice. Any party proceeding *pro se* shall be expected to be familiar with and follow the Federal Rules of Civil Procedure.” (Emphasis added.)